

REMARKS/ARGUMENTS

In the paragraphs numbered 2 in the office action of 03/07/2007, claims 1, 6, 10, 11, 16, 20, 21, 25, and 29 are rejected under 35 U.S.C. 112, first paragraph as failing to comply with the enablement requirement. The examiner has objected to the terms "the first client not knowing to whom or the number of clients to which the message is being published," and "wherein the user name, screenname or other identifier of the second client is not displayed to the first client," and "first client not knowing at the time of the publication of after, how many clients the first message reached." The objected to phrases have been removed.

The examiner also states that there has to be some kind of messaging application in which the first client sends the message to the second client. Claims 1, 10, 11, 20, 21, and 29 have been amended to make clear that the first message is directed through or via a pub/sub service to which the second client is a subscriber. Original claims 6, 16, and 25 claim a pub/sub server which sends the messages to subscribers. This is clearly set forth in the specification and shown in, for instance, Fig. 4 as PUB/SUB SERVER 304. Thus, it is the pub/sub service that receives a message from the first client and sends the message on to its subscribers. Thus, the second client is anonymous to the first client.

The examiner also states there has to be some kind of broadcasting application to broadcast the message to the client in order for the first client to not know how many client(s) did not receive the first message. The claims have been amended to make clear that the first message is directed through a pub/sub service from the first client to the second client (claims 1, 10, 11, 20, 21, and 29). Original claims 6, 16 and 25 claims

that the message is published to subscribers of the pub/sub server. It is submitted that claims 1, 6, 10, 11, 16, 20, 21, 25, and 29, and the claims depended therefrom, as amended, allowable under 35 U.S.C. 112, second paragraph, which allowance is respectfully requested.

In the paragraphs numbered 3, claims 1, 4, 10, 11, 14, 20, 21, 23, 31, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Appelman et al. U.S. Patent 6,539,421 (hereinafter Appelman) in view of Morris et al. U.S. Patent 6,496,852 (hereinafter Morris). The rejection is respectfully traversed and reconsideration is requested.

Appelman describes an instant messaging client interface. This is a fundamental component to instant messaging and is an example of the prior art before the present claimed invention. Appelman discloses that one user can send messages to another known user - or users. In Appelman, a first user needs to know the ID of the second user in order to chat with them. In a chat room scenario, a user joins the chat room and might not know the users, but once entered is aware of any user ID in the chat. Appelman does not describe anything about using broadcast messaging where there is no knowledge at the time of sending a message, the identities of the recipients. In Appelman, each message from the first user to the second user includes an address which directs the message to the second user. For instance, in Col. 4, lines 36-37: ". . . the user enters a message 16 having an address 18 for whom the message 16 is intended . . ." Also at Col. 5, lines 33: "if a message is being addressed to the second user." Much of Appelman is directed to

how an address is constructed to a recipient by the fewest keystrokes possible so as to auto-complete a partially entered address based on a subset of potential message recipients (see the abstract).

Morris discloses a first user inviting a second user to an activity with the ability of the second and optionally a third user to decline or propose a different activity. Morris discloses a fundamental n-way chat solution. Morris requires the first user to know the target recipients. In Fig. 2 of Morris and Col. 2, lines 9 and 10, the chat room 200 participants' identities or screen names are listed in a scrolling window 210. Thus, when a user enters a chat room, the identities or screen names of the participants in the chat room are shown in window 210, wherein the other participants are known to the user.

Independent claims 1,10, 11, 20 and 21 have been amended to make clear that that the message from the first client through or via a pub/sub service to a second client who is registered with the pub/sub service. The second client is anonymous to the first client and to other subscribers. This is not true in either Appelman or Morris where the first user must know who the second user is to set up a chat session. In Morris, all participants of a chat are identified to the other participants. The independent claims have been amended to make clear that subscribers are anonymous to the first user and to other subscribers of the pub/sub service through which the first message is sent from the first user to the second user. It is submitted that independent claims 1, 10, 11, 20 and 21, and claims depended therefrom, are allowable under 35 U.S.C. 103(a) over Appelman in view of Morris, which allowance is requested.

In paragraphs numbered 4, claims 2-3, 5-9, 12-13, 15-19, 2, 24-30, 30, 32 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Appelman in view of Kapil et al. U.S. Patent 6,941,345 (hereinafter Kapil) in view of Morris. The rejection is respectfully traversed, and reconsideration is requested.

As applied above, Appelman and Morris disclose sending a message from a first client to a second client wherein the second client is known to the first client.

Kapil discloses a real-time text-based messaging system in which the first message is a request received from a user in a first community indicating a desired text-based messaging session with a user in a second community (see the abstract, Col. 4 line 9 "server 30 processes the request", line 13 "establishing inter-community messaging is to send requests", Col. 11 line 25-26 "server listens at a predetermined port for a request", line 41 "Upon receiving the request from the controller . . . each of the one or more destination servers determines . . . whether at least one user in the request exists, is available, and is interested in a chat connection." In Kapil, communications must be established before a message is sent from one community to another community. For instance, at Col. 3, lines 37-39: "A messaging application 38 may be used to establish a chat session or a messaging session with another user on the network." Also, at Col. 3, lines 63-66: "As an example, the terminal 12 that is part of the first community 14 may establish a real-time text-based messaging or communications session with the terminal 18 which is part of the second community 16." Also, at Col. 4, lines 35-44: ". . . to establish a real-time messaging or communications session, user A at terminal 12 in the first community 14 may start its copy of the contact client to enter the name of a desired destination user. The contact client in the terminal 12 then establishes communications with a contact server in the service provider 22 of the second community 16. The contact server in the second

service provider 22 can then send a rejection indication to the contact client in terminal 12 is communications is not possible (user B does not exist," Thus, in Kapil, the message to be sent from one community to another community is not sent until communication between the communities is first established. Thus, in Kapil, before a message is even sent from a first user to a second user, the first user sends a request to a service provider to establish that the receiver exists and is able to receive. Only after the messaging session is established is a message sent by the first user.

Independent claims 6, 16, 25, and 29 are amended to claims messages sent from a first client to a second client through or via a pub/sub service wherein the second client subscribes to the pub/sub service and is anonymous to the first client and other subscribers of the pub/sub service. It is submitted that independent claims 6, 16, 25, and 29, and claims depended therefrom, are allowable under 35 U.S.C. 103(a) over Appelman in view of Kapil and in view of Morris, which allowance is respectfully requested. It is further submitted that claims 1-2, 5-9, 12-13, 15-19, 22, 24-30, and 32 are allowable under 35 U.S.C. 103(a) over Appelman in view of Kapil and in view of Morris for the reasons discussed, which allowance is respectfully requested.

Claims 2, 3, 13, 30, have been amended to correct typographical errors and to be consistent with parent claims.

It is respectfully submitted that the application is now in condition for allowance, which allowance is respectfully requested.

RESPECTFULLY SUBMITTED

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